

W/out

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF YAVAPAI

**FILED**

DATE: Jan. 16, 2009

5:00 O'Clock P.M.

JEANNE HICKS, CLERK

BY: M. J. Merlitz

Deputy

DIVISION: 6

JEANNE HICKS, CLERK

HON. THOMAS B. LINDBERG

By: M. J. Merlitz, Deputy Clerk

CASE NO. CR2008 1339

DATE: January 16, 2009

TITLE:

COUNSEL:

STATE OF ARIZONA  
(Plaintiff)

Yavapai County Attorney (e+)  
(For Plaintiff)

vs.

STEVEN CARROLL DEMOCKER  
(D-1)

John Sears

Larry A. Hammond  
Anne M. Chapman  
OSBORN MALEDON, P.A.  
2929 North Central Avenue, 21<sup>st</sup> Floor  
Phoenix, AZ 85012-2794  
(For Defendant)

HEARING ON:  
Oral Argument on Defendant's Motion  
for New Finding of Probable Cause

NATURE OF PROCEEDINGS

COURT REPORTER  
Sandra K Markham

START TIME: 2:39 p.m.

APPEARANCES: Mark Ainley, Deputy County Attorney Criminal Division  
Steven Democker, Defendant (in custody)  
Jack Fields, Deputy County Attorney Civil Division  
John Sears, Counsel for the Defendant  
Larry Hammond, Co-counsel for Defendant  
Anne Chapman, Co-counsel for Defendant

Counsel for the State, Jack Fields advises the Court there may be resolution to some of the public records issues which he will submit to the Court in writing. Defense counsel John Sears notes defense intends to file a response to the request for public records and requests the hearing be set three weeks out.

**IT IS ORDERED** setting Oral Argument on Public Records Request on **Friday, February 6, 2009 at 3:00 p.m.** in this division.

Mr. Jack Fields is excused.

Oral argument proceeds with regard to Defendant's Motion for New Determination of Probable Cause.

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Counsel for the State moves to incorporate the testimony and exhibits presented at the *Simpson* Hearing for purposes of hearing on this motion. There being no objection, the Court indicates it will consider any of the comments that were made in the No-bond Hearing in connection with this motion also.

Closing comments are presented.

The Court takes the motion **under advisement** and notes it will provide a ruling by next Wednesday.

**END TIME: 3:58 p.m.**

cc: Victim Services (e+)  
Division 6 - under advisement (file retained by division)  
David Bodney and Chris Moeser, STEPTOE & JOHNSON, counsel for ABC  
Collier Center, 201 East Washington Street, Suite 1600, Phoenix AZ 85004-2382

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